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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,544	04/11/2001	Fadi Y. Busaba	POU920000066US1	3281

7590

12/13/2004

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EXAMINER

LI, AIMEE J

ART UNIT	PAPER NUMBER
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2183

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

4

<i>Notice of Non-Compliant Amendment (37 CFR 1.121)</i>	Application No.	Applicant(s)	
	09/832,544	BUSABA ET AL.	
	Examiner	Art Unit	
	Aimee J Li	2183	

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 22 September 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 *Fed Reg.* 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

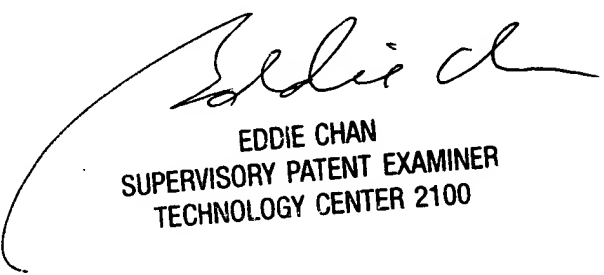
THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other: _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other: _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims).
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Please See Attached

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

Amendment

1. Claims 5 and 13-15 have been identified as "Original", however, the claims contain underlining and strikethroughs indicating that the claim is to be amended. It is unclear whether Applicant and Applicant's representative wish the claims to be considered in their original form, as indicated by the status identifier, or in their amended form, as indicated by the amendment markings. Since this is the second Notice of Non-Compliant Amendment, there will be no resetting of time, i.e. there is no longer a free one month time period for response. The original Notice of Non-Compliant Amendment mailed on 19 August 2004 indicated on the form that there were improper status identifiers that were not compliant with the revised 37 CFR 1.121 which requires mandatory compliance after 30 July 2003. Please see the flyer cited above and MPEP 714.03.



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